

# In the Supreme Court of the State of Idaho

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IN THE MATTER OF THE GENERAL	)	PROVISIONAL ORDER RE:
ADJUDICATIONS OF RIGHTS TO USE	)	APPOINTMENT OF DISTRICT JUDGE,
OF WATER FROM THE WATER	)	CONFIRMATION OF SPECIAL
SYSTEMS OF THE COEUR D'ALENE-	)	JURISDICTION AND DETERMINATION
SPOKANE RIVER BASIN, THE	)	OF VENUE FOR THE GENERAL
PALOUSE RIVER BASIN AND THE	)	ADJUDICATIONS OF THE COEUR
CLARK FORK-PEND OREILLE RIVER	)	D'ALENE-SPOKANE RIVER BASIN,
BASINS	)	THE PALOUSE RIVER BASIN AND
	)	THE CLARK FORK-PEND OREILLE
	)	RIVER BASINS

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WHEREAS pursuant to I.C. § 42-1406B, upon the filing of petitions by the Director of the Idaho Department of Water Resources, the district court is authorized to commence separate general adjudications of the water rights for the Coeur d'Alene-Spokane River Basin, the Palouse River Basin and the Clark Fork-Pend Oreille River Basins, and

WHEREAS pursuant to I.C. § 42-1406B, unless otherwise ordered by this Court, special jurisdiction for these general adjudications resides in the Snake River Basin Adjudication District Court of the Fifth Judicial District of the State of Idaho, and

WHEREAS this Court is authorized and directed by I.C. § 42-1406B to assign by order a district judge to preside over the general adjudications and to determine venue of such general adjudications, and

WHEREAS prior to the filing of petitions, in conjunction with the planning stages for the three general adjudications, the district court anticipated to be assigned to preside over the adjudications in conjunction with the Idaho Department of Water Resources, will be required to begin various logistical administrative matters including the incurring of related expenditures, and which in order to proceed with accordingly, require from this Court a provisional order confirming special jurisdiction, determining venue and assigning a district judge.

NOW THEREFORE, UNTIL FURTHER ORDER OF THIS COURT, THE FOLLOWING ARE  
HEREBY ORDERED:

IT IS HEREBY ORDERED, that the presiding judge of the Snake River Basin Adjudication District Court, an office held at present by District Judge John M. Melanson, be and is hereby, assigned as the presiding judge over these actions as general adjudications of the water rights in the Coeur d'Alene-Spokane River Basin, the Palouse River Basin and the Clark Fork-Pend Oreille River Basins.

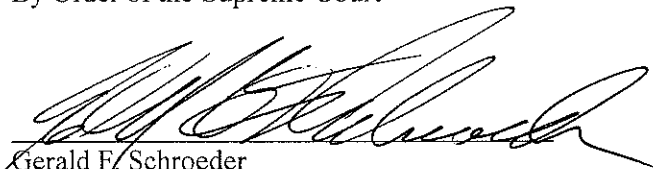
IT IS FURTHER ORDERED, that pursuant to I.C. § 42-1406B special jurisdiction for these general adjudications is confirmed and shall reside in the Snake River Basin Adjudication District Court of the Fifth Judicial District of the State of Idaho, in and for the County of Twin Falls.

IT IS FURTHER ORDERED, that pursuant to I.C. § 42-1406B and I.C. § 42-1407 the Court does hereby designate the Snake River Basin Adjudication District Court of the Fifth Judicial District of the State of Idaho, in and for the County of Twin Falls, as the county and court of venue for these general adjudication proceedings and that all pleadings and documents with regard to these general adjudications shall be filed with the clerk of that court. Notwithstanding this designation of venue, hearings may be held by masters and the presiding district judge at such places within the State of Idaho as are designated by the masters or presiding judge for the convenience of the parties and witnesses.

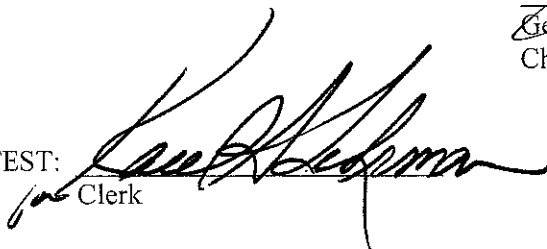
IT IS FURTHER ORDERED, that this *Provisional Order* shall remain in full force and effect until further order of this Court.

DATED this 29 day of September 2006.

By Order of the Supreme Court

  
Gerald F. Schroeder  
Chief Justice

ATTEST:

  
Clerk

cc: Hon. John M. Melanson  
Hon. Lawrence G. Wasden, Attorney General  
Karl Dreher, Director, IDWR